

1AP20 Rec'd PCT/EP 01 MAY 2006

Re Box No. V

Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Reference is made to the following document(s):

D1: US 2003/ 015 65 58 A1

2. Document **D1** is regarded as the nearest prior art with respect to the subject matter of **claim 1**. It discloses (the references in parentheses relate to this document): a method for operating a radio communication system comprising a radio access point and a plurality of radio stations (see paragraph [0053], Fig. 3),
 - a. wherein the radio access point (see radio access point "48", Fig. 3) is located outside of the direct radio transmission range of a first radio station (radio station "42", Fig. 3), and wherein the radio access point requires information about a path comprising one or more further radio stations which can be used for a message transfer between the radio access point and the first radio station (paragraphs [0058], [0059]), and
 - b. the first radio station initiates a method for determining a path between the first radio station and the radio access point (paragraphs [0087], [0088]).

The subject matter of **claim 1** therefore differs from the known **D1** in that:

- c. the first radio station learns about the requirement for the information after the radio access point.

The object to be achieved by the present invention can therefore be seen in that if no path to the first radio station is known to the radio access point, the first radio station learns that such a path is to be determined.

The subject matter of **claim 1** is therefore novel (Article 33(2) PCT).

D1 discloses a method for determining a path between a first radio station and a radio access point, but (see paragraph [0100]) if it is not possible for the radio station to determine such a path, the radio access point stops transmitting notifications about the requirement for this path.

The subject matter of **claim 1** is therefore also inventive (Article 33(3) PCT).

3. **Claims 2 to 8 and 10** are dependent on **claim 1** and **claim 9** respectively and therefore also meet the requirements of the PCT with regard to novelty and inventive step (Article 33(1)-(3) PCT).
4. The same observations made in the above section 2. with regard to **claim 1** are also valid for the independent **claims 9 and 11**, since these, in respect of a device (radio station) and a computer program product respectively, have the same features as **claim 1**.

The subject matter of the present **claims 9 and 11** therefore allows an inventive step to be recognized (Article 33(3) PCT).

Re Box No. VIII

Certain observations on the international application

5. From the description on page 18, lines 11 to 37, it emerges that the following features (the subject matter of **claim 2**) are essential to the definition of the invention:

- [1] that a base station is present which is located within the radio coverage area of the radio access point and the first radio station is located within its radio coverage area;

- [2] that the radio access point notifies the base station about the requirement for the information about a path;
- [3] that the first radio station learns about the requirement for the information as a result of a notification by the base station.

Since the independent **claim 1** does not include these features, it does not conform to the requirement of **Article 6 PCT** in conjunction with **Rule 6.3 b) PCT** that every independent claim must include all the technical features that are essential to the definition of the invention.

Re Box No. VII

Certain defects in the international application

- 6. Although **claims 1 and 9** are in fact drafted in the two-part format, the feature **2.b** (see section 2. above) is incorrectly stated in the characterizing part, since it has been disclosed in document **D1** in conjunction with the features quoted in the preamble (**Rule 6.3 b) PCT**).
- 7. At the same time an introduction to the description acknowledging the publication **D1** and adapted to a newly filed **claim 1** would need to be submitted (**Rule 5.1 a) ii and iii) PCT**).